

Message Text

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C O N F I D E N T I A L SECTION 1 OF 3 BERLIN 6393

BELGRADE FOR USDEL CSCE

LONDON FOR WOESSNER

E.O.11652: GDS
TAGS: FPR, CSCE, GE
SUBJECT: DEMARCHE TO GDR ON CSCE IMPLEMENTATION

REF: STATE 139514

SUMMARY:
THE EMBASSY BELIEVES ANOTHER APPROACH TO THE GDR ON CSCE
IS DESIRABLE, AND SHOULD BE BASED ON OUR ORIGINAL JANUARY 3
DEMARCHE AS WELL AS RESPNSES TO THE GDR'S MAY 12 "NON-PAPER"
AIDE-MEMOIRE. OUR APPROACH SHOULD CONTAIN AS MANY SPECIFIC
PROPOSALS AS POSSIBLE AND SHOULD STATE CLEARLY WHERE WE
THINK THE GDR MAY 12 PAPER AS WELL AS THEIR GNERAL
PERFOMANCE ARE INADEQUATE, PARTICULARLY WITH RESPECT TO
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BASKET III. IN OUR VIEW, THE APPROACH SHOULD BE AN ORAL
ONE, AND MADE AT THE FOREIGN MINISTER OR DEPUTY FOREIGN
MINISTER LEVEL. END SUMMARY.

1. THE EMBASSY'S CSCE DEMARCHE OF JANUARY 3, 1977 (76
BERLIN 7151) WAS A CAREFUL COMPILATION, ON THE BASIS OF
A THOROUGH REVIEW OF THE FINAL ACT, OF ISSUES ON WHICH

WE THOUGHT IT POSSIBLE TO INDUCE GDR CSCE IMPLEMENTATION TO THE BENEFIT OF US INTERESTS. AFTER A RELATIVELY LONG SILENCE THE GDR RESPONDED WITH ITS "NON-PAPER" AIDE-MEMOIRE OF MAY 12. THE AIDE-MEMOIRE DID NOT ADDRESS OUR JANUARY PRESENTATION EXCEPT BY INDIRECTION. IT DID, HOWEVER, INVOKE THE FINAL ACT AT EVERY OPPORTUNITY; AND CAN THUS BE CONSIDERED AN ELEMENT OF A BILATERAL CSCE DIALOGUE. WE BELIEVE IT SERVES OUR INTERESTS TO REGARD IT AS SUCH, MAKING OF IT AND OUR JANUARY DEMARCHE THE BASIS ON WHICH IT IS APPROPRIATE AND DESIRABLE TO BUILD, EXPANDING AND STRENGTHENING OUR PRESENTATION WHERE APPROPRIATE, AND RESPONDING TO GDR POINTS WHERE USEFUL.

2. THE GDR'S STEPS TO CLEAN UP OUTSTANDING HUMANITARIAN CASES WITH SEVERAL COUNTRIES AND OBVIOUS REGIME EFFORTS TO DEAL MODERATELY WITH INTERNAL DISAFFECTION AMONG CULTURAL FIGURES SUGGEST THAT BELGRADE'S IMMINENCE IS HAVING AN IMPACT ON GDR POLICY. THAT AND CURRENT GDR EFFORTS TO IMPROVE ITS IMAGE WITH THE US GOVERNMENT AND PUBLIC MAKE THE PRESENT MOMENT PROPITIOUS FOR ANOTHER DEMARCHE TO THE GDR ON CSCE IMPLEMENTATION. WE ARE NOT OVERLY OPTIMISTIC THAT WE CAN MOVE THE GDR VERY FAR, BUT BELIEVE ANOTHER FIRM PRESENTATION OF US PROPOSALS WILL HELP BUILD A RECORD OF US INTEREST IN IMPROVING OUR RELATIONS IN SPECIFIC AREAS, WHILE EXPRESSING CONCERN OVER SOME OF THE EAST GERMAN'S MORE EGREGIOUS PRACTICES IN RESTRICTING

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THE FLOW OF PEOPLE AND INFORMATION.

3. WE PROPOSE THAT ANOTHER ORAL APPROACH BE CARRIED OUT SOON, AT THE FOREIGN MINISTER OR DEPUTY FOREIGN MINISTER LEVEL, DRAWING HEAVILY ON OUR JANUARY 3 PRESENTATION AND THE PROPOSED RESPONSE TO THE MAY 12 AIDE-MEMOIRE (BERLIN 6127), TAKING GENERALLY THE FOLLOWING FORM:

4. WE VIEW ALL SECTIONS OF THE FINAL ACT AS EQUALLY IMPORTANT; AND WE SUPPORT THEIR IMPLEMENTATION INDIVIDUALLY AND AS A WHOLE. OUR PRESENTATION OF JANUARY 3 TO AMBASSADOR BOCK WAS MADE IN THAT SPIRIT. WE SAID WE WOULD WELCOME GDR VIEWS ON OUR PRESENTATION AS WELL AS ITS PROPOSALS FOR BILATERAL STEPS WHICH COULD BE TAKEN TO IMPLEMENT THE FINAL ACT. WE WERE, THEREFORE, PLEASED TO RECEIVE YOUR AIDE-MEMOIRE OF MAY 12, TO WHICH WE HAVE GIVEN CAREFUL STUDY. WE WELCOME THIS OPPORTUNITY FOR A THIRD EXCHANGE OF VIEWS ON THESE SUBJECTS, AT A TIME WHEN THERE HAVE BEEN SOME POSITIVE DEVELOPMENTS IN OUR BILATERAL RELATIONSHIP. AT THE SAME TIME, WE ARE CONVINCED THAT THROUGH AN ON-GOING PROCESS OF CONSULTATIONS WE CAN DEFINE MANY AREAS IN WHICH FURTHER AND CONTINUING

IMPLEMENTATION OF THE FINAL ACT CAN CONTRIBUTE TO
IMPROVEMENT IN BILATERAL RELATIONS.

5. GENERAL PRINCIPLES: WITH RESPECT TO BASKET ONE,
SOME PROGRESS HAS BEEN MADE ON CONSULTATIONS ON BILATERAL
AS WELL AS MULTILATERAL ISSUES. THE USG HAS CONVEYED
ITS VIEWS ON SEVERAL MULTILATERAL ISSUES TO THE GDR,
AND WOULD WELCOME COMMENTS FROM IT ON THESE ISSUES. WE
ARE PLEASED THAT A START HAS BEEN MADE IN ESTABLISHING
TREATY RELATIONS THROUGH CONCLUSION OF A FISHERIES
AGREEMENT IN 1976. WE FAVOR MOVING AHEAD PROMPTLY TO
THE CONCLUSION OF A PARCEL POST AGREEMENT. (COMMENT:
THE EMBASSY ASSUMES ALL THE HURDLES HAVE BEEN REMOVED
IN THIS MATTER, BUT WE DO NOT FEEL COMPLETELY INFORMED.)
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WE CONTINUE TO ATTACH IMPORTANCE TO THE CONCLUSION OF
A CONSULAR CONVENTION AND AWAIT A RESPONSE TO OUR DRAFT
PRESENTED TO THE GDR LAST JULY. WITH RESPECT TO A
MARITIME AGREEMENT, IN GENERAL, BILATERAL AGREEMENTS ARE NOT
PART OF THE OVERALL MARITIME POLICY OF THE US.

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6. WITH RESPECT TO POLITICAL LEVEL CONSULTATIONS MENTIONED IN THE MAY12 GDR NON-PAPER, THE US HAS UNDER CONSIDERATION THE SUGGESTION FOR A MEETING THE SECOND HALF OF THIS YEAR BETWEEN SECRETARY VANCE AND FOREIGN MINISTER FISCHER. IN OUR VIEW, IT WOULD BE INAPPROPRIATE AT THIS POINT TO DISCUSS PERIODIC, HIGH-LEVEL CONSULTATIONS. CONCERNING CONGRESSIONAL VISITS, THIS IS A MATTER WHICH CONGRESS ITSELF DECIDES. (COMMENT: THE GDR HAS LONG BEEN INTERESTED IN SUCH AN EXCHANGE, WHICH WE HAVE HERETOFORE DISCOURAGED. WE ASSUME THE ADMINISTRATION'S POSITION ON THIS REMAINS UNCHANGED.)

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7. WITH RESPECT TO THE GENERAL PRINCIPLES, WE NOTE ALSO OUR INTEREST IN "CONFIDENCE BUILDING MEASURES." WE REGRET THE GDR AIDE-MEMOIRE IS SILENT ON THIS MATTER. WE REGRET FURTHER THE GDR'S ATTITUDE TOWARD ACCEPTING INVITATIONS TO OBSERVE MAJOR NATO MILITARY MANEUVERS, AND HOPE IT WILL RECONSIDER ITS POSITION.

8. BASKET II: AS THE GDR AIDE-MEMOIRE NOTES, BILATERAL TRADE RELATIONS HAVE STRENGTHENED. COMMITTEES OF US AND GDR BUSINESS LEADERS HAVE BEEN FORMED AND HAVE HELD THEIR FIRST JOINT MEETING IN THE US. WE TRUST THE EXISTENCE OF THE COMMITTEES WILL GIVE IMPULSE TO THE DEVELOPMENT OF COMMERCIAL RELATIONS. WE HOPE, IN ADDITION, THAT RECIPROCAL STATIONING OF BUSINESS REPRESENTATIVES OF EACH COUNTRY IN THE OTHER WILL CONTRIBUTE TO THE EXPANSION OF TRADE.

9. WE REMAIN INTERESTED IN PRACTICAL STEPS TO EXPAND TRADE. BECAUSE INTELLIGENT BUSINESS DECISIONS ARE IMPOSSIBLE TO REACH IN THE ABSENCE OF ACCURATE COMMERCIAL AND ECONOMIC INFORMATION, THE GDR IS URGED TO TAKE STEPS TO IMPROVE THE QUANTITY, QUALITY AND TIMELINESS OF ECONOMIC AND BUSINESS INFORMATION, ESPECIALLY:
-- INFORMATION ON COMMERCIAL OPPORTUNITIES;
-- INFORMATION ON PRODUCTION OF INTERNATIONALLY-TRADED PRODUCTS;
-- MEANINGFUL DATA ON FOREIGN TRADE INCORPORATING

AN INTERNATIONALLY RECOGNIZED CLASSIFICATION SYSTEM.
THE CONTINUED ABSENCE OF SUCH INFORMATION IS IN STRIKING
CONTRAST TO PROFESSED GDR INTEREST IN PARTICIPATING IN
WORLD TRADE ON THE BASIS OF EQUALITY.

10. THE UNITED STATES CONTINUES TO BELIEVE THAT THE
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STAGING OF US DEPARTMENT OF COMMERCE SPONSORED
TECHNICAL SALES SEMINARS IN THE GDR REPRESENTS AN
EFFICIENT MEANS OF PROMOTING MUTUALLY BENEFICIAL TRADE.
ONE SUCH SEMINAR WAS HELD IN NOVEMBER 1975 AND A PLANNED
SEMINAR WAS CANCELLED AT GDR REQUEST IN JUNE 1976. WE
HOPE THAT FUTURE PROPOSALS FOR US TRADE PROMOTION
ACTIVITIES WILL FIND THE NECESSARY APPROVAL AND
SUPPORT OF GDR TRADE AND INDUSTRY OFFICIALS.

11. ON MFN THE FINAL ACT DOES NOT OBLIGATE COUNTRIES
TO GRANT MFN, AND WE BELIEVE THE GDR UNDERSTANDS THE
LEGISLATIVE FRAMEWORK THAT GOVERNS MFN AT PRESENT.

12. THE US REMAINS INTERESTED IN EXPANDING SCIENTIFIC
AND TECHNICAL EXCHANGE WITH THE GDR. IN THIS CONNECTION,
WE WELCOME RECENT CONTACTS BETWEEN THE GDR AND THE
US NATIONAL ACADEMY OF SCIENCES, AND NATIONAL SCIENCE
FOUNDATION. IN JANUARY WE STATED OUR INTEREST IN
PROMOTING PERSON-TO-PERSON AND INSTITUTION-TO-INSTITUTION
CONTACTS IN AGRICULTURE, ESPECIALLY ANIMAL HUSBANDRY
AND AGRICULTURAL CHEMISTRY, AND IN METEOROLOGY, HYDROLOGY,
AND MEDICINE AND PUBLIC HEALTH. WE CONTINUE TO SUPPORT
SUCH CONTACTS, AND SOLICIT A POSITIVE RESPONSE OF
THE GDR TO THIS PROPOSAL. (COMMENT: THE EMBASSY BELIEVES
WE SHOULD MAKE THIS APPROACH, WHICH WOULD BE STRENGTHENED
IF WE COULD POINT TO SOME SPECIFIC PROJECTS. WE
THEREFORE URGE THE DEPARTMENT TO ASCERTAIN WHAT
COULD USEFULLY AND CONCRETELY BE PROPOSED.)

13. COOPERATION IN HUMANITARIAN AND OTHER FIELDS: IT
IS GRATIFYING THAT CERTAIN PROGRESS HAS BEEN ACHIEVED
IN THE AREA OF REUNIFYING FAMILIES AND FACILITATING
MARRIAGES BETWEEN US AND GDR CITIZENS. THIS PROGRESS
HAS, IN ITS TURN, CONTRIBUTED TO AN IMPROVEMENT IN OUR
BILATERAL RELATIONS AS A WHOLE. IT IS NORMAL AND REASONABLE
TO EXPECT THAT CASES OF PERSONS WISHING TO JOIN RELATIVES
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IN THE US PERMANENTLY OR TEMPORARILY, OR WISHING TO MARRY US CITIZENS WILL CONTINUE TO OCCUR. IN FULL ACCORDANCE WITH THE LETTER AND SPIRIT OF THE FINAL ACT, AND IN A FASHION CONSISTENT WITH FUNDAMENTAL AMERICAN PURPOSES, VALUES AND LEGISLATION, WE WILL CONTINUE TO RAISE WITH THE GDR CASES INVOLVING PERMANENT OR TEMPORARY REUNIFICATION OR MARRIAGE OF PERSONS UNDER GDR JURISDICTION WHO MAY SEEK REUNIFICATION OF MARRIAGE WITH AMERICANS.

14. WE NOTE PARTICULARLY THAT THE FINAL ACT STATES THAT THE PARTICIPATING STATES WILL DEAL IN A POSITIVE AND HUMANITARIAN SPIRIT ON REUNIFICATION CASES, "WITH SPECIAL ATTENTION BEING GIVEN TO REQUESTS FOR AN URGENT CHARACTER--SUCH AS REQUESTS SUBMITTED BY PERSONS WHO ARE ILL OR OLD." WE REGRET THE GDR HAS NOT ACTED IN THE SPIRIT OF THE FINAL ACT IN SUCH EMERGENCY CASES AND URGE THE GDR TO DO SO.

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15. WE BELIEVE A REGULAR PROCEDURE ON HUMANITARIAN CASES IS DESIRABLE AND NECESSARY. IN OUR VIEW, THE PERIODIC PRESENTATION OF LISTS OF CASES HAS FACILITATED MATTERS ON PERMANENT REUNIFICATION MATTERS AND WE WILL CONTINUED TO SUBMIT SUCH LISTS, INCLUDING THOSE INVOLVING EMERGENCY VISITS, WHERE WE HOPE PROGRRESS CAN BE ACHIEVED.

16. OUR RECORD ON VIAS ISSUANCES TO EAST GERMANS IS GOOD: WE HAVE ACTED ON THE OVERWHELMING MAJORITY OF VISA APPLICATIONS WELL WITHIN TEN WORKING DAYS OF RECEIPT. OUR PROCEDURES AND FORMS DO NOT DISCRIMINATE AGAINST EAST GERMANS, BUT MERELY APPLY US LEGISLATION VALID FOR ALL VISITORS TO THE US.
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17. FOR OUR PART, WE FAVOR REACHING AN UNDERSTANDING WITH THE GDR THAT BOTH SIDES UNDERTAKE TO ISSUE VISAS FOR OFFICIAL VISITORS WITHIN A PRESCRIBED PERIOD, FOR EXAMPLE 3-5 WORKING DAYS. (COMMENT: THE EMBASSY WOULD APPRECIATE THE DPEARTMENT'S VIEWS ON THE FEASIBILITY OF SUCH A SUGGESTION TO THE GDR.)

18. INFORMATION/CULTURE: WE REGARD OUR PRESENTATION OF BOOKS TO THE HUMBOLDT UNIVERSITY; ACQUISITION AT GDR REQUEST OF THE INDUSTRIAL DESIGN EXHIBIT (SINCE POSTPONED BY THE GDR); FACILITATION OF GDR PARTICIPATION AT THE LOS ANGELES CHILDREN'S FILM FESTIVAL; THE DRESDEN ART EXHIBITION, AND THE GEWANDHAUS TOUR OF THE US AS POSITIVE STEPS. WE FAVOR THE EXPANSION OF SUCH ACTIVITIES; AND WE SUPPORT LECTURES, SENIARS, ACADEMIC EXCHANGES, FILM WEEKS AND OTHER SUCH ENDEAVORS. IN THIS CONNECTION, WE WERE ALSO PLEASED TO COSPONSOR LECTURES AT GDR INSTITUTIONS BY PROFESSOR GRIFFITHS AND WRIGHT, AND LOOK FOR THE CONTINUATION OF SUCH A DEVELOPMENT. WE ARE ALSO PLEASED WITH THE SUCCESSFUL RENEGOTIATIONS OF THE IREX AGREEMENT. ON THE OTHER HAND, WE REGRET TWO RECENT NEGATIVE DEVELOPMENTS INVOLVING CULTURAL PROGRAMS. THE PHIL ARTE QUARTET'S ENGAGEMNT WAS CANCELLED IN LATE JUNE ON THE GROUNDS OF TOO SHORT NOTICE ALTHOUGH WHEN FIRST PROPOSED AT THE BEGINNING OF MAY FOR SPETMEBER NO PROBLEMS WERE FORESEEN AND THE GROUP WAS WELCOMED. THE INDUSTRIAL DESIGN EXHIBIT WAS REQUESTED BY THE GDR AT THE END OF MAY FOR AUGUST AND EVEN THOUGH NOTICE WAS MUCH SHORTER, A MAJOR AND SUCCESSFUL EFFORT WAS MADE TO SATISFY THE GDR REQUEST. THIS EXHIBIT HAS SUDDENLY BEEN POSTPONED

WITHOUT EXPLANATION. WE FIND SUCH DEVELOPMENTS ARE NOT
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CONDUCTIVE TO A PRODUCTIVE AND CONSTRUCTIVE DEVELOPMENT
OF OUR CULTURAL RELATIONS. ON AN EXCHANGE OF EXPERIENCE/
DELEGATIONS FOR THE STUDY OF THE ENGLISH AND GERMAN
LANGUAGES, THE US SUPPORTS SUCH AN APPROACH AND IS
PREPARED TO FACILITATE SUCH EXCHANGES.

19. AS A PRACTICAL MATTER, WE URGE THE GDR TO BEAR IN
MIND THAT THE ABILITY OF THE GDR TO ENTER THE US MARKET
IN FILMS, TV, BOOKS, AND THE LIKE IS SOLELY DEPENDENT
ON PROVIDING WORKS OF INTEREST THAT CAN COMPETE WITH
OFFERINGS FROM ELSEWHERE; AND THE ABILITY TO ATTRACT
HIGH-QUALITY AMERICAN PERFORMERS ON A COMMERCIAL
BASIS IS A MATTER OF MEETING THE ARTISTS' FEES. FOR
THESE REASONS, WE SEE NO CONSTRUCTIVE PURPOSE BEING SERVED
BY A STATEMENT ON "POSSIBLE EQUIVALENCES."

20. WE REAGRD PROHIBITIONS IN GDR LAW ON THE EMBASSY'S
CIRCULATION OF INFORMATION MATERIAL TO BE IN CONFLICT
WITH OBLIGATIONS UNDERTAKEN AT HELSINKI; AND WE LOOK
TO THE GDR TO TAKE THE STEPS NECESSARY TO DISMANTLE
THESE REGULATIONS.

21. JAMMING: THE GDR CONTINUES TO JAM INTENSIVELY RADIO
BROADCASTS ON MEDIUM WAVE. THE US LOOKS TO THE GDR TO
DROP THIS COLD-WAR PRACTICE, WHICH IS A DIRECT VIOLATION
OF THE SPIRIT OF THE FINAL ACT.

22. ACCREDITATION OF JOURNALISTS: THE US REQUESTS THE
GDR TO LIFT ITS PROHIBITION AGAINST ACCREDITATION OF
AMERICAN JOURNALISTS ALREADY ACCREDITED TO WEST BERLIN
AND THE FRG AND GRANT MULTIPLE-ENTRY, YEAR-LONG VISAS
AS IS THE PRACTICE IN EAST EUROPEAN COUNTRIES WITH
WHICH THE US HAD DIPLOMATIC RELATIONS.

23. DISTRIBUTION OF US PERIODICALS: AMERICAN NEWSPAPERS
AND MAGAZINES, AT PRESENT AVAILABLE ONLY FOR SPECIALIZED
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AND LIMITED USE IN THE GDR, ARE NOT ACCESSIBLE TO THE
PUBLIC AT LARGE AT POINTS OF DISTRIBUTION. IN KEEPING
WITH THE FINAL ACT, THE US WOULD HOPE THAT STEPS COULD
BE TAKEN FOR WIDER CIRCULATION OF AMERICAN NEWS
PUBLICATIONS IN KEEPING WITH THE CONCEPT OF THE FREE

FLOW OF INFORMATION.

24. IN CONCLUSION, THE US BELIEVES THAT PROGRESS IN THE AREAS NOTED ABOVE WOULD CONTRIBUTE TO THE DEVELOPMENT OF US/GDR RELATIONS AND WOULD BE ENTIRELY CONSISTENT WITH THE LETTER AND SPIRIT OF THE FINAL ACT.

25. COMMENT: THE EMBASSY HOPES THE DEPT WILL BE ABLE TO INTRODUCE INTO APPROPRIATE PARAGRAPHS OF THE ABOVE SUGGESTED APPROACH SPECIFIC PROPOSALS, PARTICULARLY IN THE SCIENTIFIC EXCHANGES SECTION OF BASKET II AND IN THE INFORMATION" CULTURAL SECTION OF BASKET III. SUCH PSECIFICITY WOULD MAKE OUR APPROACH MORE CREDIBLE AND ENABLE US TO ENGAGE THE EAST GERMANS IN AREAS OF INTEREST OT US. POLANSKY

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